

### **REMARKS/DISCUSSION OF ISSUES**

By this Amendment, Applicant amends claims 11-13, 15-16 and 20.

Accordingly, claims 1-20 are pending in the application.

Applicant thanks the Examiner for acknowledging the claim for priority and receipt of certified copies of the priority documents.

The Examiner is respectfully requested to indicate whether the drawings are acceptable.

Applicant acknowledges the indication that claims 7-10, 14, 15, 19 and 20 define patentable subject matter and would be allowable if rewritten in independent form including all features of their respective base claims and any intervening claims.

Claims 11-13 and 15-16 are amended for non-statutory reasons. The claims are not narrowed in scope and no new matter is added. Claim 20 is amended to correct a minor typographical error in the Preliminary Amendment that was filed with this application.

Reexamination and reconsideration are respectfully requested in view of the following Remarks.

### **35 U.S.C. § 103**

The Office Action rejects: claims 1, 4, and 11 under 35 U.S.C. § 103 over Mitchell et al. U.S. Patent 5,799,273 ("Mitchell") in view of Hon et al. U.S. Patent 6,490,563 ("Hon"); and claims 2, 3, 5, 6, 12, 13 and 16-18 under 35 U.S.C. § 103 over Mitchell and Hon in view of Yamazaki U.S. Patent 6,088,674 ("Yamazaki").

Applicant respectfully traverses those rejections for at least the following reasons.

#### **Claim 1**

Among other things, the method of claim 1 includes providing first and second speech signal outputs for a comparison between first and second speech signals for an identification of potential errors in a text transcribed from the first speech signal.

Applicant respectfully submits that no combination of the cited references discloses such a feature.

Indeed, none of the cited references discloses or suggests comparing two speech signals to each other to detect errors in a text transcribed from one of the speech signals.

Mitchell discloses a system and process for comparing an original speech signal to a text signal generated therefrom by speech recognition.

Hon discloses a system and process for proofreading text by listening to a synthesized speech signal of the text, rather than reading it. Hon teaches that the text to be proofread can be generated by a keyboard, by a handwriting recognition system, by a speech recognition system, etc.

Neither Mitchell nor Hon discloses or suggests comparing a speech signal to a synthesized speech signal. The Office Action states that one of ordinary skill in the art at the time the invention was made would have "substituted **comparing the first speech signal to the second generated speech signal** instead of **comparing the first speech signal directly to the text**." However, under M.P.E.P. § 2143(B), this requires that the "*substituted components and their functions were known in the art.*"

Here, the "substituted component" is "**comparing the first speech signal to the second generated speech signal**" (which is being substituted for the element in Mitchell of "**comparing the first speech signal directly to the text**"). However, as explained above, none of the cited references teach or disclose that comparing a first speech signal to a second generated speech signal was well known in the art. Indeed, none of the cited references suggest that comparing a first speech signal to a second generated speech signal was ever contemplated. In that regard, it is interesting to note that FIG. 6 of Hon specifically shows the original speech signal being first converted to text 104, and then a synthesized speech signal is used to proofread the text 104. Hon does not store the original speech signal or suggest using it in any way to proofread the text. To Hon, the original speech is the same as keyboard strokes, or handwriting – just a way to generate the text to be proofread.

So Applicant respectfully submits that the cited art does not disclose that the "substituted component" of comparing a first speech signal to a second generated speech signal was well known – or even suggested – in the art.

Accordingly, for at least these reasons, Applicant respectfully submits that claim 1 is patentable over the cited art.

Claim 4

Claim 4 depends from claim 1 and is deemed patentable for at least the reasons set forth above with respect to claim 1.

Claim 11

Among other things, the system of claim 11 includes means for providing first and second speech signals for comparison between the first and second speech signals for an identification of potential errors in the text

For similar reasons to those set forth with respect to claim 1, Applicant respectfully submits that the prior art does not disclose an element of means for providing first and second speech signals for comparison between the first and second speech signals.

Accordingly, for at least these reasons, Applicant respectfully submits that claim 11 is patentable over the cited art.

Claims 2, 3, 5 and 6

Claims 2, 3, 5 and 6 all depend from claim 1. Applicant respectfully submits that Yamazaki does not remedy the shortcomings of Mitchell and Hon as set forth above with respect to claim 1. Accordingly, Applicant respectfully submits that claims 2, 3, 5 and 6 are all patentable for at least the reasons set forth above with respect to claim 1, and for the following additional reasons.

Claim 3

Among other things, in the method of claim 3 a set of filter functions is applied to the first speech signal to approximate the spectrum of the first speech signal to the spectrum of the second speech signal.

The Office Action states that Yamazaki discloses this in col. 28, lines 61-67.

Applicant respectfully disagrees. Applicant sees no mention in col. 28, lines 61-67 of any filter functions. More importantly, Applicant sees no mention in col. 28, lines 61-67 of applying any filter functions to an original speech signal to make its spectrum approximate that of a synthesized second speech signal.

Accordingly, for at least these additional reasons, Applicant respectfully submits that claim 3 is patentable over the cited art.

Claims 5 and 6

Among other things, in the methods of claims 5 and 6 a comparison signal is generated by subtracting or superimposing first and second speech signals.

The Office Action states that Yamazaki discloses this in FIG. 24 and col. 27, line 64 - col. 28, line 5.

Applicant respectfully disagrees. Applicant does not see any comparison signal in FIG. 24 – but, instead, sees just the original and synthesized signals by themselves. Applicant sees no mention in col. 27, line 64 - col. 28, line 5 of any comparison signal generated by subtracting or superimposing first and second speech signals.

Accordingly, for at least these additional reasons, Applicant respectfully submits that claims 5 and 6 are patentable over the cited art.

Claims 12-13

Claims 12-13 depend from claim 11. Applicant respectfully submits that Yamazaki does not remedy the shortcomings of Mitchell and Hon as set forth above with respect to claim 11. Accordingly, Applicant respectfully submits that claims 12-13 are patentable for at least the reasons set forth above with respect to claim 11, and also for reasons set forth above with respect to claims 5 and 6.

Claim 16

Among other things, the computer program product of claim 16 includes program means for providing first and second speech signal outputs for a comparison between first and second speech signals.

For similar reasons to those set forth with respect to claim 1, Applicant respectfully submits that the prior art does not disclose program means for providing first and second speech signal outputs for a comparison between first and second speech signals.

Accordingly, for at least these reasons, Applicant respectfully submits that claim 16 is patentable over the cited art.

Claims 17-18


Claims 17-18 depend from claim 16. Applicant respectfully submits that claims 17-18 are patentable for at least the reasons set forth above with respect to claim 16, and also for reasons set forth above with respect to claims 5 and 6.

**CONCLUSION**

In view of the foregoing explanations, Applicant respectfully requests that the Examiner reconsider and reexamine the present application, allow claims 1-20 and pass the application to issue. In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Kenneth D. Springer (Reg. No. 39,843) at (571) 283.0720 to discuss these matters.

Respectfully submitted,

VOLENTINE & WHITT



By: \_\_\_\_\_

Kenneth D. Springer  
Registration No. 39,843

VOLENTINE & WHITT  
One Freedom Square  
11951 Freedom Drive, Suite 1260  
Reston, Virginia 20190  
Telephone No.: (571) 283.0724  
Facsimile No.: (571) 283.0740